IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 11th day of June , 2002

Criminal Misc. Bail Application Number 547 of 2002

Order on the Bail Application

CRIMINAL SIDE

(1) Usman son of Ali Sher, (2) Wahid son of Munshi and (3) Sher Khan son of Munna
All residents of Buthanpur, P.S. Bhagatpur, District Moradabad
……..Applicant(s)

Versus

State of Uttaranchal. ……Opposite Party

Arising out of - Case Crime No.268 of 2002
Under Sections 394 and 302 of I.P.C.,
P.S. Kashipur
District Udham Singh Nagar.

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant and the learned A.G.A.

Perused the F.I.R. In it, the applicant-accused were not named. It was lodged on 23.03.2002 and it is strange that the informant is alleged to have identified the assailants after about 18 days at the time of their alleged arrest at the Kashipur roadways bus station. No mark of identification had been mentioned in the F.I.R. lodged earlier.
Considering the fact and circumstances of the case, it is a fit case for bail.

Let the applicants (1) Usman son of Ali Sher, (2) Wahid son of Munshi and (3) Sher Khan son of Munna All residents of Buthanpur, P.S. Bhagatpur, District Moradabad be released on bail in Case Crime No. 268 of 2002, Under Sections 394 and 302 of I.P.C., P.S. Kashipur _____
District Udham Singh Nagar on their each executing a personal bond and two sureties each in the like sum to the satisfaction of A.C.J.M., Kashipur.

(Irshad Hussain, J.)

11.06.2002./B.